

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE



:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 2523 OF 2023

Between:

1. Kesapatnapu Swathi, W/o Kesapatnapu Bala Durga Prasad, H.No. 26-13-5, Dasu Gari Street, Near Ramalayam, Balusumudi, Bhimavaram-534202.
2. Kesapatnapu Bala Durga Prasad, S/o K. Krishna Ramanujam, H.No. 26-13-5, Dasu Gari Street, Near Ramalayam, Balusumudi, Bhimavaram-534202
3. Melinati Mohan Krishna, S/o Melinati Pattabhi Rama Rao, D.No. 41-1/2-44, Dwaraka Nagar, 3rd line, Krishna Lanka, Vijayawada-520013.
4. Chettebhaktula Pavana Murthy, S/o Narasimha Das Ch, TF-1, Madev Homes, Old MIG-74, Uda Colony, Rajeev Nagar, Payakapuram, Vijayawada-520015.
5. Chettebhaktula Devendra Phani Prakash, S/o Pavana Murthy, aged 45 years, TF-1, Madev Homes, Old MIG-74, Uda Colony, Rajeev Nagar, Payakapuram, Vijayawada-520015

Petitioners/Accused 2 to 6

AND

1. State of Andhra Pradesh, Rep., by its public prosecutor, High Court of A.P. Amaravati.
2. Meghana Sharma, W/o M Chittibabu, D.No. 17/78, Bharathi Nagar, Srikalahasti, Tirupathi District, Andhra Pradesh.

Respondents

WHEREAS the Petitioners/Accused above named through their Advocate Sri BILAAL AHMED SYED presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to quash the proceedings in FIR. No. 42 of 2023 on the file Srikalahasthi I Town Police station, Chittoor District against the Petitioners/Accused 2 to 6.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri BILAAL AHMED SYED Advocate for the Petitioner and of Public Prosecutor for Respondent No.1, directed issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Meghana Sharma, W/o M Chittibabu, D.No. 17/78, Bharathi Nagar,
Srikalahasti, Tirupathi District, Andhra Pradesh.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted, with six weeks on which date the case stands posted for hearing.

IA NO: 2 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in FIR. No. 42 of 2023 on the file Srialahasthi I Town Police station, Tirupathi District including the appearance of the petitioners/Accused 2 to 6 till the disposal of the Main Quash Petition in the interest of the justice, pending disposal of CRLP No. 2523 of 2023, on the file of the High Court.

The Court made the following:

ORDER:

"Learned Assistant Public Prosecutor takes notice for respondent No.1 and seeks time to get instructions in the matter.

Issue notice to respondent No.2.

Learned counsel for the petitioners is permitted to take out personal notice to respondent No.2 by RPAD and file proof of service in the Registry within a period of three (3) weeks.

In the meanwhile, the police concerned are directed to conduct investigation by following the procedure as contemplated under Section 41A of Cr.P.C. scrupulously, as per the guidelines enunciated in Arnesh Kumar v. State of Bihar, (2014) 8 SCC 273.

List the matter after six (6) weeks."

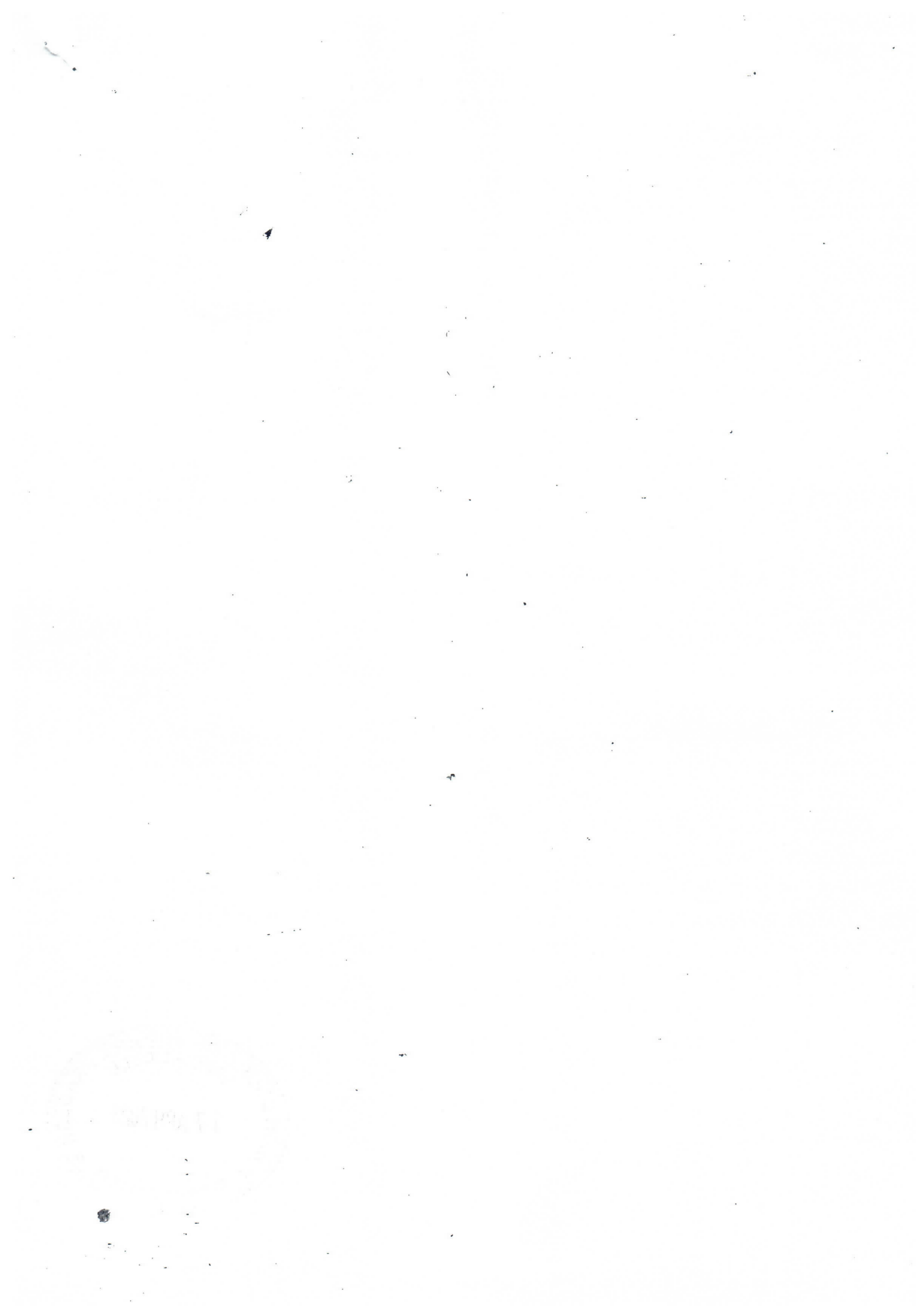
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SD/- K.J. RAJA BABU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Station House Officer, Srialahasthi I Town Police station, Chittoor District.
2. Meghana Sharma, W/o M Chittibabu, D.No. 17/78, Bharathi Nagar, Srialahasthi, Tirupathi District, Andhra Pradesh. (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. BILAAL AHMED SYED Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of A.P. [OUT]
5. One spare copy

npc



HIGH COURT

SRKJ

DATED:04/04/2023

LIST THE MATTER AFTER SIX WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.2523 of 2023

DIRECTION

